


The Court believes Plaintiff intended to file her Motion pursuant to Federal Rule of Civil Procedure 60(b), which provides relief from a final judgment, order, or proceeding. Relief under this rule constitutes “an extraordinary remedy that should not be awarded except under exceptional circumstances.” Mayfield v. Nat’l Ass’n for Stock Car Auto Racing, Inc., 674 F.3d 369, 378 (4th Cir. 2012). The moving party must initially show timeliness, a meritorious defense, a lack of unfair prejudice to the opposing party, and exceptional circumstances. Dowell v. State Farm Fire & Cas. Auto. Ins. Co., 993 F.2d 46, 48 (4th Cir. 1993). Then, the moving party must satisfy the requirements of Rule 60(b). Id. The Court finds there is no basis to vacate the Clerk’s Judgment and no basis to vacate its Order granting Plaintiff’s Application to proceed in forma pauperis and dismissing Plaintiff’s Complaint with prejudice.

Plaintiff is once again strongly cautioned against repeatedly filing frivolous or improper actions. Doing so may result in the imposition of sanctions and/or prefilings injunctions that would limit Plaintiff’s ability to file further lawsuits in this Court.

IT IS THEREFORE ORDERED that Plaintiff’s *pro se* Motion to Vacate the Clerk’s Judgment, Vacate the Order granting Plaintiff’s Application to proceed in forma pauperis and dismissing Plaintiff’s Complaint with prejudice, and Motion for Recusal, (Doc. No. 12), is **DENIED**.

IT IS SO ORDERED.

Signed: August 27, 2024


Frank D. Whitney
United States District Judge

